

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	No. 16-cr-10305-FDS
MARTIN GOTTESFELD,	)	
	)	
Defendant.	)	

**ASSENTED-TO MOTION FOR ENDS-OF-JUSTICE CONTINUANCE,  
AND EXCLUSION OF TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through the undersigned Assistant United States Attorneys, and with the assent the defendant as set forth in Court on October 26, 2016, respectfully moves this Court to grant a continuance of the time within which the trial of the charged offenses must commence, and exclude from the speedy trial clock the time period from October 26, 2016, through and including November 28, 2016—the date the Court has set for an initial status conference.

The parties are engaging in automatic discovery pursuant to Local Rule 116.1(a)(1), and therefore exclusion of this period is appropriate under Local Rule 112.2(a)(1) for the reasons cited therein. Furthermore, exclusion of this period is appropriate under several additional provisions of the Speedy Trial Act, including 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(i), and 3161(h)(7)(B)(iv), along with Sections 5(b)(7)(B), 5(b)(7)(C)(i), and 5(b)(7)(C)(iv) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008).

That parties agree that the proposed exclusion of time under the Speedy Trial Act is necessary so as to: (1) allow the parties to produce all required automatic discovery under Local Rules 116.1(b) and (c), while minimizing formal motion practices; (2) allow defense counsel to consider the need for pretrial motions under Fed. R. Crim. P. 12; and (3) not unreasonably deny

the defendants and the government continuity of counsel, light of commitments in other pending matters and the schedules of counsel to all parties, along with the complexity of the case. The parties further agree that the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(i), and 3161(h)(7)(B)(iv).

Respectfully submitted,

CARMEN M. ORTIZ  
UNITED STATES ATTORNEY

By: /s/ David J. D'Addio  
David J. D'Addio  
Adam J. Bookbinder  
Assistant U.S. Attorneys

Date: October 27, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ David J. D'Addio

David J. D'Addio

Assistant United States Attorney

Date: October 27, 2016